

Beaver County  
Beaver, Ut 84713  
March 12, 2007

The Board of County Commissioners met on March 12, 2007 at 10:00 a.m. for its regular meeting. This meeting was rescheduled from March 5, 2007. Those present were Donald J. Willden, Chairman; William L. Dalton, Member; Chad W. Johnson, Member; Leo G. Kanell, Deputy Attorney; Bryan L. Harris, Commission Assistant; and Paul B. Barton, Clerk/Auditor.

Minutes of the February 12, 2007 meeting were read. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously passed to approve the minutes.

Kirby Barkdull and Craig Davis met with the Board to review the final plat map for the Beaver Valley Estates Subdivision. The Planning Commission unanimously recommended the final plat for approval. The County is not accepting maintenance of the roads within the subdivision. It was moved by Comm. Johnson and seconded by Comm. Dalton to approve the subdivision. Dean Mackelprang discussed a problem with a secondary access road to his property near the subdivision. Atty. Kanell discussed the difference between a public or private right-of-way. After discussion, question was called on the motion. All voted in favor of the motion.

Mr. Davis discussed a conditional use permit application from YESCO. The Planning Commission recommended the approval of the permit for a total of six (6) signs for advertising near the Manderfield I-15 interchange. There was also an issue of having propane tanks on neighboring property. These were separate issues. The Board was concerned that the tanks were there illegally, the owners having never applied for permission to locate propane on the property. Mr. Davis will stop activity related to the propane tanks until or if permits are obtained. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to follow the Planning Commission recommendation and approve the permit.

Clair Baldwin and Mark Nelson met with the Board to discuss a safe harbor program to put together an agreement with the U.S. Fish & Wildlife and other groups to work to get the Utah prairie dog de-listed off the threatened species list. Some of the partners are Utah Farm Bureau, USU Extension Service, etc. Mr. Baldwin would like support efforts in setting up a plan to set up habitat on private and public lands for the management of the prairie dogs. Mr. Baldwin is mainly working with farming and wildlife groups. The Board expressed support for Mr. Baldwin's efforts.

The Board discussed recertification of the Justice Courts. The Milford Court has been approved. The Minersville Court needs to have a 6" riser installed. The County is in the process of building the riser. The State Court Administrator's office is requiring the County to increase clerical staffing. The Board felt that this decision is a local decision and not one that should be dictated by the State. Mr. Kanell will write a letter stating that the additional staff will be hired if the State is willing to pay the additional cost.

It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to donate \$1200.00 to the Red Rock Center for Independence.

The Board discussed a double assessment on Parcel #01-0009-0022 and also assessor Parcel 01-0008-0021. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to return \$234.44.

It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to appoint Sheriff Cameron Noel as a bail commissioner.

Comm. Willden discussed the need to follow the open meetings law. He stressed that proper terminology be used when closing the meeting and make sure that the meeting is closed only for items allowed in the statute. The Board also discussed the need to train all Service District Boards on the law.

It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously passed to approve the Predator Control Contract with the State of Utah and authorize the chairman to sign the agreement.

The Board reviewed an agreement between the Sheriff's office and UDOT for trash pickup on I-15. UDOT would pay the County \$40.00 per hour and the County will provide inmate labor to pick up trash along the roadway. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to authorize the Sheriff to sign the agreement.

Mr. Harris reviewed an agreement with the Harris-Willis Irrigation Co. on the walking trail project. Kary Monroe, from Jones & DeMille Engineering, was present and suggested that the agreement be included in the contract for the project with the Contractor.

Mr. Monroe gave an update on Phase 3 on the M&M Road Project. There may be a change in the way this project is funded. If federal money is used, additional requirements are added such as EEO and Davis-Bacon regulations. If the federal money is converted to state funds at a ratio of \$1.00 to \$0.85 there would be less money, but there would be fewer requirements which would save money overall. The decision on the conversion will be made at a meeting in April, 2007.

#### Public Hearing - 2:00 P.M.

A public hearing on vacating a county road in Greenville was opened for comment at 2:00 p.m. The road begins at the corner of Lot 4, Blk 7 Greenville Town Survey. Those attending the hearing were Bill Treder and Bob Matejzel. No one appeared to oppose the action. The hearing was closed at 2:00 p.m. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to vacate the road.

Appointments to other boards, i.e. Service District, Travel Council, etc., were reviewed. Mr. Harris will contact the Boards involved and get a current list with terms and advertise for vacancies.

Tyler Fails met with the Board to discuss the janitorial service at the correctional facility. The application period has past. Sheriff Noel has the applications and the interviews are in process.

A contribution using the restaurant tax as partial funding on a proposed events center was discussed. The Tax Advisory Board has recommended that \$75,000 per year be committed toward the debt if certain conditions are met, such as all financing be in place within one year. It was moved by Comm. Johnson to approve the recommendation. The chair was passed to Comm. Dalton. Comm. Willden seconded the motion. Comm. Willden and Comm. Johnson voted in favor of the motion. Comm. Dalton voted against the motion. The chair was passed back to Comm. Willden.

Bruce Brown met with the Board to discuss the purchase of a new copy machine. Mr. Brown stated that his copier has had extra work and is in need of replacement. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to authorize the expenditure.

The Board discussed the possible appointment of a temporary alternate member for the Planning Commission to replace Scott Robinson because he has a conflict with the Mt. Holly Club development. It was moved by Comm. Dalton to appoint Max Limb. After discussion, Comm. Dalton withdrew his motion. It was the consensus of the Board to proceed with six board members on the Mr. Holly issue.

Sheriff Cameron Noel met with the Board to discuss problems with the sprinkler heads in the old part of the jail. It was moved by Comm. Dalton, seconded by Comm. Johnson and unanimously approved to replace the heads.

Sgt. David Barriett, from the Utah Highway Patrol, met with the Board to discuss the patrol agreement. The UHP attorney wants to delete the indemnification clause of the old agreement. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to sign the amended agreement.

Jason Quintana met with the Board to discuss the possibility of using the Minersville Park area to provide racing events such as trail running. Mr. Quintana will work out an agreement with the County Attorney and report back to the Board.

It was moved by Comm. Johnson and seconded by Comm. Dalton that the Board close the meeting to discuss the professional competence of an individual. Those present were members of the Board, Atty. Kanell, Mr. Harris and Mr. Barton. The meeting was closed at 4:05 p.m. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to return to open session at 4:10 p.m. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to refer the matter to the County Attorney.

David Robinson and Robert Lee met with the Board to request assistance with the Beaver Lions Race Meet held on July 24. It was moved by Comm. Johnson, seconded by Comm. Dalton and unanimously approved to donate \$2,500.00 for advertising.

Bills on file were approved for payment.

There being no further business, the meeting was adjourned at 4:25 p.m.

APPROVED \_\_\_\_\_

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